

RECEIVED
CENTRAL FAX CENTER

THE LAW OFFICES OF
LYON & HARR
A LIMITED LIABILITY PARTNERSHIP

300 ESPLANADE DRIVE, SUITE 800
OXNARD, CALIFORNIA 93030

INTELLECTUAL PROPERTY LAW INCLUDING PATENTS,
TRADEMARKS, COPYRIGHTS AND RELATED MATTERS

TELEPHONE: (805) 278-8855
FACSIMILE: (805) 278-8084
EMAIL: Mail@CuttingEdgePatents.com

AUG 31 2005

Facsimile Cover Sheet

To: USPTO
ATTN: Examiner BRIAN Q. LE

From: Craig S. Fischer

Fax: (571) 273-8300

Pages: 26 (inclusive)

Re: Serial No.: 09/400,346
Filed: September 20, 1999
Attorney Docket No: MCS-058-99

Date: August 31, 2005

☒ **Urgent** ☒ **For Review** ☐ **Please Comment** ☐ **Please Reply**

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on August 31, 2005

Date

Signature

Craig S. Fischer

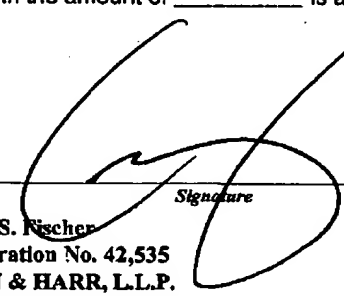
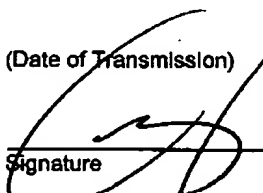
Typed or printed name of person signing Certificate

This correspondence includes the following attached papers:

1. Facsimile Cover Sheet including Certificate of Transmission under 37 C.F.R. § 1.8 (1 page);
2. Amendment Transmittal Letter (1 page);
3. Amendment under 37 C.F.R. § 1.116 (24 pages).

This message is intended for the use of the individual or entity to which it is addressed, and may contain information that is privileged and confidential. If you are not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S. Postal Service.

If there are any problem with this transmission, please call (805) 278-8855.

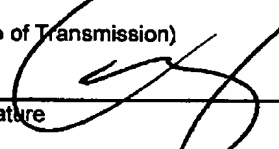
TRANSMITTAL LETTER (Large Entity)				Docket No. MCS-058-99	
Applicant(s): TOYAMA et al.					
Serial No. 09/400,346	Filing Date September 20, 1999	Examiner BRIAN Q. LE	Group Art Unit 2623		
Invention: SYSTEM AND METHOD FOR BACKGROUND MAINTENANCE OF AN IMAGE SEQUENCE					
<u>TO THE HON. COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	26 -	26 =	0 x	\$50.00	\$ 0.00
INDEP. CLAIMS	6 -	6 =	0 x	\$200.00	\$ 0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$ 0.00
<input checked="" type="checkbox"/> No additional fee is required. <input type="checkbox"/> Please charge Deposit Account No. _____ In the amount of _____ A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input type="checkbox"/> A Credit Card Payment Form (PTO-2038) for payment in the amount of _____ is attached.					
 Dated: August 31, 2005					
Craig S. Fischer Registration No. 42,535 LYON & HARR, L.L.P. 300 East Esplanade Drive Suite 800 Oxnard, CA 93036-1274 TEL: (805) 278-8855 FAX: (805) 278-8064					
CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8 I hereby certify that this paper and every paper referred to therein as being enclosed is being facsimile transmitted to Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, TC2600 at (571) 273-8300 on <u>August 31, 2005</u> (Date of Transmission) Craig S. Fischer By  Signature					

P11LARGE/REV06

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this paper and every paper referred to therein as being enclosed is being facsimile transmitted to Mail Stop: AF, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, TC2600 at (571) 273-8300

on August 31, 2005 (Date of Transmission)

By Craig S. Fischer Signature 

RECEIVED
CENTRAL FAX CENTER

AUG 31 2005

27662
PATENT TRADEMARK OFFICE

PATENT
Attorney Docket No.: MCS-058-99
MSFT Matter No.: 128795.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: TOYAMA et al.

Serial No.: 09/400,346

Group Art Unit: 2623

Filed: September 20, 1999

Examiner: BRIAN Q. LE

For: **SYSTEM AND METHOD FOR BACKGROUND
MAINTENANCE OF AN IMAGE SEQUENCE**

AMENDMENT UNDER 37 C.F.R. §1.116

Mail Stop: AF
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
TC2600
Facsimile No.: (571) 273-8300

Sir:

In response to the final Office Action dated July 26, 2005, the Applicants respectfully request that this amendment be entered under 37 C.F.R. 1.116 to place the above-referenced application in condition for allowance or, alternatively, in better condition for consideration on appeal.

1 of 24